

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

TRACY JOHNSON,

Defendant.

8:13CR375

ORDER

This matter is before the court on the defendant's, Tracy Johnson, motion for copies (Filing No. 51). The defendant requests the criminal docket sheet for this case, the Judgment, and Statement of Reasons. **See** Filing No. 51 - Motion. The defendant entered a plea of guilty on March 12, 2014, and judgment was entered against the defendant on June 6, 2014. **See** Filing No. 37 - Petition to Enter a Plea of Guilty; Filing No. 40 - Judgment. As explained in this court's previous orders (Filing Nos. 45 and 48), before free copies of the record are furnished to the defendant, there must be a motion for collateral review of his conviction. **See** Filing Nos. 45 and 48 - Orders (**citing *Chapman v. United States***, 55 F.3d 390, 390-91 (8th Cir. 1995) (stating any request for a free transcript prior to the filing of a § 2255 motion is premature)). Senior Judge Joseph F. Bataillon denied the defendant's objection to the undersigned magistrate's previous orders denying free copies. **See** Filing No. 50 - Order on Objection (finding the magistrate judge "is correct in all respects"). Despite the court's prior orders, the defendant has again filed the instant motion for free copies without having filed a motion for post-conviction relief. Accordingly, the court finds the instant motion for free copies should be denied at this time without prejudice to reassertion after filing a § 2255 petition or other timely motion. Upon consideration,

IT IS ORDERED:

The defendant's motion (Filing No. 51) is denied.

Dated this 16th day of March, 2016.

BY THE COURT:

s/ Thomas D. Thalken
United States Magistrate Judge